

**MEMORANDUM**  
**COUNTY OF LOUDOUN**

DATE: July 9, 2010

TO: Department and Agency Heads

FROM: Tim Hemstreet, County Administrator

SUBJECT: Action Report of the July 7, 2010 Board of Supervisors' Business Meeting

Listed below is a summary report of the Board's action taken at its July 7, 2010 Business Meeting. On items requiring follow up, the staff person responsible is noted. Please work with your staff to follow through on the Board action as noted.

- ADOPTION OF THE CONSENT AGENDA

Vice Chairman Buckley moved to approve adoption of the Consent Agenda. (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote.) The following items were approved by consent: #2, #3, #5, #6, #7a, #7b, #7c, #7d, #7e, #7f, and 9.

- SHERIFF SIMPSON UPDATE ON SIGNIFICANT INCIDENT REPORTS

Sheriff Steve Simpson provided the Board an update on Significant Incident Reports. He announced that the Eastern Sheriff's Substation had a large crowd for the grand opening ceremonies and thanked Board members and the citizens for attending this event.

1. This item was pulled from the agenda.

2. ADMINISTRATIVE ITEMS REPORT OF JUNE 15, 2010

Vice Chairman Buckley moved that the Board of Supervisors approve the Administrative Items Report of July 7, 2010. (Consent Item) (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent.)

a. BUDGET ADJUSTMENTS

The Board of Supervisors moved to (1) approve the following FY11 budget adjustments as set out in the July 7, 2010 Administrative Items Report, (2) recognize an increase in revenue in the amount of \$358,843 in the General Fund for FY11; and (3) make an increase in FY11 appropriations of \$433,843 in the General Fund:  
BA-110019, BA-110021, BA-110022, BA-110028, BA-110029, BA-110032, and BA-110033.

Staff Contacts: Marcy Cotov, Budget Officer and Mark Adams, Chief Financial Officer, Management & Financial Services

b. BOARD OF SUPERVISORS' MINUTES

The Board of Supervisors moved to approve the March 15, 2010 Public Input & General Business Meeting Minutes, the April 20, 2010 and May 4, 2010 Business Meeting Minutes, the May 24, 2010 and June 7, 2010 Public Hearing Minutes are before the Board for approval.

The following Committee Summaries are included in the Board's Packet:  
Finance/Government Services and Operations Committee Meeting

– June 9, 2010.

Transportation and Land Use Committee – May 19, 2010.

Transportation and Land Use Committee Special Meeting  
– June 8, 2010.

Staff Contact: Jeanette Gilbert, Office of the County Administrator

c. DEEDS FOR APPROVAL

The Board of Supervisors moved to approve the following:

SBRD-2009-0022 Loudoun Valley Estates II S6;  
SBRD-2003-0067 Evergreen Hamlets, Hamlet III;  
ESMT-2010-0007 Potomac Station Lot 736;  
ESMT-2010-0008 Potomac Station Lot 737;  
STPL-2006-0081 Fields Farm High School;  
ZMAP-2006-0016 One Loudoun Center;  
ESMT-2010-0020 Loudoun Valley Estates II, LB 1 Sec 5;  
BLAD-2010-0012 Airmont Farms; and  
ESMT 2009-0026, Hampton Inn Suites.

Staff Contacts: William Himel, Planner and Ronald J. Brown, Assistant County Attorney

d. FUNDING FOR PRELIMINARY ENGINEERING OF ROUTE 606 – DULLES LOOP PROJECT

The Board of Supervisors moved to approve BA#110042 transferring \$700,000.00 to VDOT for the preliminary engineering of the Route 606 Dulles Loop Project, and that the funds be transferred from a transportation cash contribution from a preliminary subdivision plan (SBPL-1987-0027, Mercure) to a property located along the Route 606 corridor for inclusion of the Dulles Loop Project in the Commonwealth Transportation Board's adopted Six-Year Program as described in the July 7, 2010 Administrative Items Report.

Staff Contact: Charles Yudd, Assistant County Administrator and Tim Hemstreet, County Administrator

d. DEPARTMENT OF MENTAL HEALTH, SUBSTANCE ABUSE,  
AND DEVELOPMENTAL SERVICES FY11 STATE PERFORMANCE  
CONTRACT

The Board of Supervisors moved to approve the FY11 State Performance Contract as presented in the July 7, 2010 Administrative Items Report.

Staff Contact: Beth Shockley, Department of Mental Health, Substance Abuse, and Developmental Services, Julie Withrow and Candy DeButts, Office of the County Administrator

f. TIMELINE EXTENSION FOR CMPT 2009-0011 ARCOLA SUBSTATION

The Board of Supervisors moved to approve a timeline extension to October 31, 2010 for Planning Commission action on CMPT 2009-0011, Arcola Substation.

Staff Contact: Sophia Fisher and Julie Pastor, Department of Planning

g. REQUEST FOR TRAFFIC CALMING MEASURES/SOUTH VILLAGE  
DRIVE AND LAURIER DRIVE/DULLES DISTRICT

The Board of Supervisors moved to request VDOT to install "\$200 Additional Fine for Speeding" signs along the residential street of South Village Drive which has already been accepted into the State System for maintenance.

The Board of Supervisors further moved to request VDOT to accept into their State System for maintenance the developer revision to their pavement markings and signage plan for the addition of a "speed limit sign" and a "\$200 Additional Fine for Speeding: sign along the residential street of Laurier Drive.

Staff Contact: Chuck Acker and Andy Beacher, Office of Transportation Services

h. CHANGE IN START TIME FOR REGULARLY SCHEDULED JULY  
PUBLIC HEARING

The Board of Supervisors moved to confirm the scheduling of a public hearing to be held in the Board Room in Leesburg, VA, on July 12, 2010, beginning at 6:00 p.m. and that the items to be heard at that time and place are those properly scheduled and advertised for the July 12, 2010 Public Hearing.

Staff Contact: Danny Davis, Office of the County Administrator

i. COUNTY ACQUISITION/VARIOUS EASEMENTS FOR  
CONSTRUCTION OF THE ROUTE 7/ROUTE 607 INTERCHANGE (ESMT  
2009-0052) (DULLES OVERLOOK, LLC)

The Board of Supervisors moved to authorize the Chairman, or in his absence the Vice-Chairman or County Administrator, to indicate the County's acceptance of the easements by executing an appropriate Deed approved as to form by the County Attorney by which Dulles Overlook LLC grants to the County and to LCSA easements for the construction of the Route 7/Route 607 Interchange.

Staff Contact: John Carlton, Deputy County Attorney

j. PURCHASE OF AFFORDABLE DWELLING UNIT (ADU)/23098  
MINERVA DRIVE, BRAMBLETON, VIRGINIA

The Board of Supervisors moved to authorize staff to bid up to \$136,008.00 to purchase the property at 23098 Minerva Drive, Brambleton, Virginia 20147; and that the Chairman of the Board of Supervisors, the Vice Chair, the County Administrator or his designee be authorized to accept the Deed to the property pursuant to Virginia Code §15.2-1803. Said deed shall be approved as to legal form by the County Attorney, who shall be authorized to execute any collateral documents required at closing for the purchase or for the resale of the unit.

Staff Contact: John White and Jack Roberts, Office of the County Attorney

k. REQUEST FOR THE BOARD OF SUPERVISORS' APPROVAL OF  
REGULAR, FULL-TIME POSITION FOR THE DEPARTMENT OF  
MENTAL HEALTH, SUBSTANCE ABUSE AND DEVELOPMENTAL  
SERVICES: PEER SPECIALIST POSITION (1.00 FTE) FOR THE  
VIRGINIA WOUNDED WARRIOR PROGRAM – NORTHERN REGION  
GRANT AND APPROVAL OF BUDGET ADJUSTMENT #110035 FOR  
FY2011

The Board of Supervisors moved approval of the regular, full-time Peer Specialist Position (1.00 FTE) and approval of Budget Adjustment #110035 for the Department of Mental Health, Substance Abuse and Developmental Services.

Staff Contacts: Mark Adams and Marcy Cotov, Management & Financial  
Services and Tom Maynard, Mental Health, Substance Abuse &  
Developmental Services

l. MUTUAL FIREFIGHTING AND RESCUE ASSISTANCE AGREEMENT  
BETWEEN LOUDOUN COUNTY, VIRGINIA AND FREDERICK  
COUNTY, MARYLAND

The Board of Supervisors moved approval of the Mutual Aid Response Agreement between Loudoun County, Virginia and Frederick County, Maryland.

Staff Contacts: Keith Brower and Randall Shank, Department of Fire, Rescue  
and Emergency Management

m. CERTIFICATION OF DESIGNATED PLANS EXAMINERS (DPE)

The Board of Supervisors moved approval of the recommendation of Christopher William Myers, Katalin Barczay, and Abbas Abedi-Jafari as Designated Plans Examiners at its July 7, 2010 business meeting.

Staff Contacts: Gary Clare, Engineering Division Department and Terrance  
Wharton, Department of Building and Development

n. REQUEST FOR THE BOARD OF SUPERVISORS' APPROVAL OF

POSITION FOR THE OFFICE OF TRANSPORTATION SERVICES:  
SENIOR TRANSPORTATION PLANNER POSITION (.077 FTE)

The Board of Supervisors moved to approve the creation of a regular, part-time Senior Transportation Planner Position (0.77 FTE) for the Office of Transportation Services.

Staff Contacts: Mark Adams, Director of Management & Financial Services;  
Marcy Cotov, Budget Officer, Management & Financial Services and Andrew  
Beacher, Interim Director, Office of Transportation Services

3. CMPT 2010-0002, SPEX 2009-0041, SPMI 2010-0001, POTOMAC  
INTERCEPTOR ODOR ABATEMENT SITE

Vice Chairman Buckley moved that the Board of Supervisors ratify the Planning Commission decision to approve CMPT 2010-0002, Potomac Interceptor Odor Abatement Site.

Vice Chairman Buckley moved that the Board of Supervisors approve SPEX 2009-0041 and SPMI 2010-0001, Potomac Interceptor Odor Abatement Site, subject to the Conditions of Approval dated June 24, 2010, and based on the Findings attached to the July 7, 2010, staff memorandum. (Consent Item) (Seconded by Supervisor Wasters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote.)

Staff Contacts: Marchant Schneider and Julie Pastor, Department of Planning

4. ZMOD 2008-0017, BELMONT EXECUTIVE CENTER COMPREHENSIVE  
SIGN PLAN

Supervisor Waters moved that the Board of Supervisors approve ZMOD 2008-0017, Belmont Executive Center Comprehensive Sign Plan subject to the Conditions of Approval dated June 23, 2010 and with the Findings. (Seconded by Chairman York. The motion passed 7-1-1, Supervisor Kurtz voted no and Supervisor Burton absent. )

Staff Contact: Sophia Fisher and Julie Pastor, Department of Planning

5. CMPT 2009-0012, TOWN OF LEESBURG LOWER SYCOLIN PUMP  
STATION

Vice Chairman Buckley moved that the Board of Supervisors ratify the Planning Commission decision to approve CMPT 2009-0012, Town of Leesburg Lower Sycolin Pump Station, subject to the Commission Permit Plat dated October 6, 2009, revised through April 7, 2010, and based on the findings. (Consent Item) (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote.)

Staff Contact: Jane McCarter, Department of Planning

6. PROPOSED LOUDOUN HERITAGE FARM MUSEUM MANAGEMENT  
AGREEMENT AND REDUCTION IN FORCE

Vice Chairman Buckley moved that the Board of Supervisors vote to approve the Management Agreement for the Loudoun Heritage Farm Museum.

Vice Chairman Buckley moved that the Board of Supervisors eliminate 2.84 FTE's from the Loudoun Heritage Farm Museum and enact the County's Reduction in Force Policy with respect to these positions.

Vice Chairman Buckley further moved for approval of BA#110037, moving funds from PRCS to Regional Organizations in order to provide funding to the Board of the LHFM. (Consent Item) (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote.)  
Staff Contact: Diane Ryburn and Steve Torpy, Parks, Recreation and Community Services

7a. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT/CONTRACT RENEWAL/COMPANION SERVICES

Vice Chairman Buckley moved that the Board of Supervisors recommend the Finance/Government Services and Operations Committee to authorize the Purchasing Agent to renew the Companion Services contract with The Medical Team in the estimated amount of \$1,012,427 for the period of August 1, 2010 through July 31, 2011. (Consent Item) (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote.)  
Staff Contact: Ellen Grunewald and Dinah Ditton, Department of Family Services and Christopher Bresley, Management and Financial Services

7b. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT: CONSIDERATION OF A 2010 BOND REFERENDUM AND/OR A VIRGINIA PUBLIC SCHOOL AUTHORITY (VPSA) PARTICIPATION FOLLOWED BY THE FUTURE SALE OF \$27,820,000 IN GENERAL OBLIGATION BONDS TO FINANCE CAPITAL PROJECTS INCLUDED IN THE ADOPTED FISCAL YEAR 2011-2016 CAPITAL BUDGET

Vice Chairman Buckley moved that the Board of Supervisors approve the recommendation of the Finance/Government Services and Operations Committee to adopt the resolution (Attachment II) entitled "Resolution of the Board of Supervisors of the County of Loudoun, Virginia, Requesting the Circuit Court to Order a Special Election on November 2, 2010, on the Question of Issuing Not to Exceed \$27,820,000 in General Obligation Bonds to Finance Public Improvements". (Consent Item) (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote.)  
Staff Contact: Mark Adams and Mark Withrow, Management and Financial Services

7c. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT/CONTRACT EXTENSION AND HEALTH PLAN UPDATE FOR

COUNTY-WIDE GROUP HEALTH PLAN/MEDICAL, PRESCRIPTION DRUGS, DENTAL AND VISION

Vice Chairman Buckley moved that the Board of Supervisors approve the recommendation of the Finance/Government Services and Operations Committee to authorize the Purchasing Agent extend the group health plan contracts with CIGNA HealthCare, Delta Dental of Virginia, and Davis Vision for third-party administrative services as stipulated herein through December 31, 2010 and adopt the existing premium rates as shown in Attachments I, II, III, and IV. (Consent Item) (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote.)

Staff Contact: Mark Adams, Nelia Larson-Mann and Cheryl Middleton, Management & Financial Services

7d. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT/CONTRACT AWARD AUTHORITY DURING AUGUST RECESS

Vice Chairman Buckley moved that the Board of Supervisors approve the recommendation of the Finance/Government Services and Operations Committee to authorize the County Administrator through the Purchasing Agent to enter into any funded contracts as listed in Attachment 1 and/or any funded urgent or unforeseen contracts during the August recess that cannot be delayed until the September 2010 Finance/Government Services and Operations Committee meeting.

Vice Chairman Buckley further moved that the Finance/Government Services and Operations Committee recommend that the Board of Supervisors authorize the County Administrator through the Director of General Services to enter into any funded leases during the August recess that cannot be delayed until the September 2010 Finance/Government Services and Operations Committee meeting. (Consent Item) (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote. )

Staff Contacts: Donald Legg and Mark Adams, Management and Financial Services and Jay Snyder, General Services

7e. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT: REALLOCATION OF HOUSING FUNDS TO LOUDOUN HABITAT FOR HUMANITY

Vice Chairman Buckley moved that the Board of Supervisors approve the recommendation of the Finance/Government Services and Operations Committee to approve the use of Housing Funds to purchase and rehabilitate properties within any HUD-approved NSP census tract (including Leesburg) and that \$148,750 in Housing Funds be distributed to Loudoun Habitat for the purchase and rehabilitation of a minimum of three properties. (Consent Item) (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote. )

Staff Contacts: Ellen Grunewald and Sarah Coyle Etro, Department of Family Services

7f. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT/USE OF FUNDS FROM THE LOUDOUN COUNTY ANIMAL PROGRAM TRUST FUND TO FUND AN ANIMAL SHELTER PROGRAM BUILDING AT THE ANIMAL SHELTER

Vice Chairman Buckley moved that the Board of Supervisors approve the recommendation of the Finance/Government Services and Operations Committee to approve BA110014 to appropriate and transfer \$132,000 from the Animal Care Program Trust Fund to the Capital Fund to fund the construction of a 1,500 square foot Program building on the County's Animal Shelter property to be used for animal behavioral training and staff development training space. (Consent Item) (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote.)

Staff Contact: Thomas Koenig, Department of Animal Care and Control

7g. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT: MANAGING THE COUNTY'S FEDERAL GOVERNMENT AND LEGISLATIVE AFFAIRS EFFORTS

Chairman York moved that the Board of Supervisors direct staff to work toward contracting for federal legislative services to manage the federal legislative program and affairs for the Loudoun County Board of Supervisors. (Seconded by Supervisor McGimsey. The motion FAILED 3-4-1-1, Supervisors Buckley, Delgaudio, Kurtz and Waters voted no; Supervisor Burk abstained; and Supervisor Burton absent for the vote. )

Staff Contacts: Tim Hemstreet and John Sandy, Office of the County Administrator

8. TRANSPORTATION AND LAND USE COMMITTEE REPORT: SPEX 2008-0061 & SPEX 2008-0062, WHITE'S FORD PARK

Supervisor Burk moved that the Board of Supervisors forward SPEX 2008-0061 and SPEX 2008-0062, White's Ford Park, to a Transportation and Land Use Committee meeting for further discussion. (Seconded by Supervisor Delgaudio.) (This motion did not receive a vote.)

(Note: The Board entered twice into Committee of the Whole to accommodate a lunch break and to allow staff to revise the Conditions of Approval.)

Supervisor Kurtz moved that the Board of Supervisors enter into a Committee of the Whole. (Seconded by Supervisor Miller. The motion passed 7-1-1, Chairman York voted no and Supervisor Burton absent for the vote.



Supervisor Kurtz moved that the Board of Supervisors move out of Committee of the Whole. (Seconded by Supervisor Waters. The motion passed 8-0-1, Supervisor Burton absent for the vote.)

Supervisor Kurtz moved that the Board of Supervisors enter into a Committee of the Whole. (Seconded by Supervisor Miller. The motion passed 7-1-1, Chairman York voted no and Supervisor Burton absent for the vote.)

Chairman York moved that the Board of Supervisors close the Committee of the Whole. (Seconded by Supervisor Waters. The motion passed 8-0-1, Supervisor Burton absent for the vote.)

Supervisor Kurtz moved that the Board of Supervisors approve SPEX 2008-0061 & SPEX 2008-0062, White's Ford Park, subject to the attached Conditions of Approval dated July 7, 2010, as amended at the July 7, 2010 Business Meeting and the attached Findings dated March 8, 2010 included in the staff report. (Seconded by Supervisor McGimsey. The motion passed 5-3-1, Supervisors Burk, Delgaudio and York voted no and Supervisor Burton absent for the vote.)  
Staff Contact: Sophia Fisher and Julie Pastor, Department of Planning

9. JOINT BOARD OF SUPERVISORS AND SCHOOL BOARD COMMITTEE REPORT: FISCAL PLANNING

Vice Chairman Buckley moved that County staff be directed to work with School staff to consider the different fund types and their control characteristics, to highlight differences in policy between the two organizations, then to make recommendations to the Joint School Board-Board of Supervisors Committee as to which fiscal policies should be implemented, deleted, or modified. The review should include, but not be limited to the following fiscal policies.

- Reserves for Health Insurance/Workers' Compensation Funds
- Undesignated Fund Balances
- Closing of Capital Projects
- Retiree Health Care

Vice Chairman Buckley further moved that County staff be directed to work with School staff in analyzing the respective health care plan, to highlight differences in policy between the two organizations, then make recommendations to the Joint School Board-Board of Supervisors Committee for a plan that reduces our long-term liabilities and maintains competitive retirement packages. (Consent Item) (Seconded by Supervisor Waters. The motion passed 7-0-2, Supervisors Burton and Kurtz absent for the vote.)

Staff Contacts: Marcy Cotov and Mark Adams, Department of Management Financial Services, and Dr. Ed Hatrick and Leigh Burden, Loudoun County Public Schools

- COMMITTEE OF THE WHOLE/COURTHOUSE GROUNDS

Chairman York moved that the Board of Supervisors enter into Committee of the Whole. (Seconded by Supervisor Miller. The motion passed 6-0-3, Supervisors Buckley, Burton and Kurtz absent for the vote. )

Chairman York moved that the Board of Supervisors close the Committee of the Whole. (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Burton absent for the vote.)

The Board concurred with Chairman York's motion that the Board of Supervisors forward the Courthouse Grounds issue to the July 20, 2010 Board Business Meeting.  
Staff Contacts: Tim Hemstreet and Julie Withrow, Office of the County Administrator

CLOSED SESSION

Vice Chairman Buckley moved that the Board of Supervisors recess this public meeting and enter into closed session. The authority for this closed session is Section 2.2-3711(A), Subsection (7), and the purpose of the closed session is consultation with legal counsel on specific matters. The subjects of the closed session are:

- (1) the expiration of the open video system franchise for OpenBand of Virginia LLC; and
- 2) the provisions of Title 9.1, Chapter 7, concerning overtime pay for public safety employees.

(Seconded by Supervisor Delgaudio. The motion passed 7-0-2, Supervisors Burton and McGimsey absent for the vote.)

Supervisor Miller moved that the Board of Supervisors adjourn the closed session and that the Board of Supervisors reconvene its public meeting and that the minutes of the public meeting should reflect that no formal action was taken in the closed session. (Seconded by Vice Chairman Buckley. The motion passed 7-0-2, Supervisors Burton and York absent for the vote. )

Supervisor Miller moved that the Board of Supervisors approve the following Resolution Certifying the Closed Session and that this be reflected in the Minutes of this business meeting. (Seconded by Vice Chairman Buckley. The motion passed 7-0-2, Supervisors Burton and York absent for the vote. )

Resolution Certifying Closed Session

WHEREAS, the Loudoun County Board of Supervisors, this 7th day of July, 2010, reconvened in closed session by an affirmative vote and in accordance with the provisions of the Virginia Freedom of Information Act:

Now, therefore, be it resolved that the Board of Supervisors does hereby certify that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed session to which this certification applies; and (2) only such public business matters as were identified in the motion by which the said closed session was convened were heard, discussed or considered by the Board of Supervisors.

Staff Contact: Jack Roberts, County Attorney